

Even in the first decade of the 21st century, BLANCHE is the owner of many “firsts.” Even though we don’t like to admit it, and we are reluctant to talk about it, there is a double standard in politics for women. There just is. I am proud to serve with the largest number of women this Senate has ever seen, and that goes double for my 8 years with Senator BLANCHE LINCOLN.

Let me say a brief word about her family. Her husband Steve is an old friend of mine. We trace our roots back to Little Rock Central High School and the University of Arkansas. The Lord has blessed BLANCHE and Steve with two bright, energetic, athletic, and even sometimes well-behaved sons—and they are great—who are currently freshmen at Yorktown High School in Arlington. They bring their parents much joy. They are also extremely proud of their mother. I have seen firsthand what a wonderful mother she has been and is. I stand in awe.

In fact, BLANCHE is not only a good Senator and a good mother and a good wife—she is much more. She is a good daughter to her mother, who basically runs Phillips County, AK. She is a good sister in her very large family. She is a good member of her community, helping friends, neighbors, and those in need. BLANCHE is very faithful in her relationship with God, which has given her strength and kept her grounded in good times and in bad. She follows the Golden Rule and puts her faith into action every single day. Simply put, she is a good person.

Lastly, BLANCHE is a good boss. She has drawn to her a very talented and hard-working staff in Washington, DC, and in Arkansas. I know they will always be proud to tell people they worked for Senator BLANCHE LINCOLN.

Before I get carried away, there is one minor matter that I believe I need to address. On occasion—rarely, but every so often—BLANCHE runs a little late. I know many of you are shocked to hear this. Let me tell you why that is. It is because people love BLANCHE and BLANCHE loves people, and she is never too busy to stop, to notice, and to listen. She is never too busy to talk to the Capitol Police or to the janitor here or to that family from Idaho who can’t figure out the Dirksen building. She takes time for people. And that is one of her attributes that makes her so special, because those people are as important to her as the most powerful Members of the Congress. That is what makes BLANCHE special.

It is hard to find just one word to describe Senator LINCOLN—kind, smart, fearless, persistent, knowledgeable, no nonsense, and I could go on. But the one word I would like to focus on today is friend. There are 99 Senators today who consider her a friend. They like her, they like working with her, and they respect her. I have had many Republicans and Democrats say how much they hate to see her leave because she makes this place better.

There is a passage in the Bible that says: “Well done, thou good and faith-

ful servant.” This applies to BLANCHE, but not only to the job that she has done here in Senate. It applies to her as a person. There is a lot more to BLANCHE than just being a Senator. In January, she starts a new chapter. And as much as she will be missed around here, we all have confidence there are many more great things to come.

I thank the Chair, and I yield the floor.

#### MORNING BUSINESS

The PRESIDING OFFICER (Mr. BENNET). Under the previous order, there will be a period of morning business with Senators permitted to speak for up to 15 minutes each.

The Senator from Indiana.

#### NEW START TREATY

Mr. LUGAR. Mr. President, I rise to speak in support of the new START treaty. We undertake this debate at a time when almost 100,000 American military personnel are fighting a difficult war in Afghanistan. More than 1,300 of our troops have been killed in Afghanistan, with almost 10,000 wounded.

Meanwhile, we are in our seventh year in Iraq—a deployment that has cost more than 4,400 American lives and wounded roughly 32,000 persons. We still have more than 47,000 troops deployed in that country. Tensions on the Korean peninsula are extremely high, with no resolution to the problems in North Korea’s nuclear program. We continue to pursue international support for steps that could prevent Iran’s nuclear program from producing a nuclear weapon. We remain concerned about stability in Pakistan and the security of that country’s nuclear arsenal. We are attempting to counter terrorist threats emanating from Afghanistan, Pakistan, east Africa, Yemen, and many other locations. We are concerned about terrorist cells in allied countries, and even in the United States. We remain highly vulnerable to disruptions in oil supplies due to national disasters, terrorist attacks, political instability, or manipulation of the markets by unfriendly oil-producing nations.

Even as we attempt to respond to these and other national security imperatives, we are facing severe resource constraints. Since September 11, 2001, we have spent almost \$1.1 trillion in Iraq and Afghanistan. We are spending roughly twice as many dollars on defense today as we were before 9/11. These heavy defense burdens have occurred in the context of a financial and budgetary crisis that has raised the U.S. Government’s total debt to almost \$14 trillion. The fiscal year 2010 budget deficit registered about \$1.3 trillion, or 9 percent of GDP.

All Senators here are familiar with the challenges I have just enumerated. But as we begin this debate, we should keep this larger national security con-

text firmly in mind. As we contend with the enormous security challenges of the 21st century, the last thing we need to is to reject a process that has mitigated the threat posed by Russia’s nuclear arsenal.

For 15 years, the START treaty has helped us to keep a lid on the U.S.-Russian nuclear rivalry. It established a working relationship on nuclear arms with a country that was our mortal enemy for 4½ decades. START’s transparency features assured both countries about the nuclear capabilities of the other. For us, that meant having American experts on the ground in Russia conducting inspections of nuclear weaponry.

Because START expired on December 5, 2009, we have had no American inspectors in Russia for more than a year. New START will enable American teams to return to Russia to collect data on the Russian arsenal and verify Russian compliance. These inspections greatly reduce the possibility that we will be surprised by Russian nuclear deployments or advancements.

Before we even get to the text of the new START treaty and the resolution of ratification, Members should recognize what a Senate rejection of new START would mean for our broader national security. Failure of the Senate to approve the treaty would result in an expansion of arms competition with Russia. It would guarantee a reduction in transparency and confidence-building procedures, and it would diminish between cooperation and Russian defense establishments. It would complicate our military planning.

A rejection of new START would be greeted with delight in Iran, North Korea, Syria, and Burma. These nations want to shield their weapons programs from outside scrutiny and they want to be able to acquire sensitive weapons technologies. They want to block international efforts to make them comply with their legal obligations. Rogue nations fear any nuclear cooperation between the United States and Russia because they know it limits their options. They want to call into question our own nonproliferation credentials and they want Russia to resist tough economic measures against them.

If we reject this treaty, it will be harder to get Russia’s cooperation in stopping nuclear proliferation. It could create obstacles on some issues in the United Nations Security Council, where Russia has a veto. It might also reduce incentives for Russia to cooperate in providing supply routes for our troops in Afghanistan. It would give more weight to the arguments of Russian nationalists who seek to undermine cooperation with the United States and its allies. It would require additional satellite coverage of Russia at the expense of their use against terrorists.

With all that we need to achieve, why would we add to our problems by separating ourselves from Russia over a

treaty that our own military wants ratified? Our military commanders are anxious to avoid the added burden and uncertainties of an intensified arms competition with Russia. They know such competition would detract from other national security priorities and missions. That is one reason they are telling us unequivocally to ratify this agreement. They also have asserted that the modest reductions in warheads and delivery systems embodied in the treaty in no way threaten our nuclear deterrent.

Defense Secretary Robert Gates and Chairman of the Joint Chiefs of Staff ADM Mike Mullen have testified that they have no doubts the new START treaty should be ratified. GEN Kevin Chilton, who is in charge of our strategic nuclear forces, has said the treaty “will enhance the security of the United States.” GEN Patrick O’Reilly, who is in charge of our missile defenses, endorsed the treaty saying flatly that it “does not constrain our plans to execute the United States missile defense program.”

Moreover, seven former commanders of Strategic Command—the military command in charge of our strategic nuclear weapons—have backed the new START treaty. Members of the Senate—Republicans and Democrats alike—have taken pride in supporting the military and respecting military views about steps necessary to protect our Nation.

Rejecting an unequivocal military opinion on a treaty involving nuclear deterrence would be an extraordinary position for the Senate to take. The military is supported in this view by the top national security officials from past administrations. To date, every Secretary of State and Secretary of Defense who has expressed a public opinion about the new START treaty has counseled in favor of ratification. This has included 10 Republicans and 5 Democrats. All five living Americans who served Ronald Reagan as Defense Secretary, Secretary of State, or White House Chief of Staff have endorsed the new START treaty. The list of endorsers includes: President George H. W. Bush, George Shultz, Jim Baker, Jim Schlesinger, Henry Kissinger, Brent Scowcroft, Colin Powell, Condoleezza Rice, Steven Hadley, Howard Baker, Lawrence Eagleburger, and Frank Carlucci. Many of these officials served at a time when the stakes related to Russian nuclear arms were even higher than they are today.

During the Cold War uncertainty over Russia’s intentions and weapons advances—and this cost us tens if not hundreds of billions of dollars—an academic industry developed that was devoted to parsing Soviet military capabilities. This was one of the biggest, if not the biggest, expenses of our intelligence budget each year. The fact that we could not accurately judge Soviet military capabilities led us to elevate our spending on weaponry out of a sense of caution. These times were

dominated by contradictory risk assessments and rumors about dangerous new Soviet weapon systems. We were constantly worried about missile gaps, destabilizing arms deployments, or Soviet technology breakthroughs. And all of this came at a tremendous cost to the American taxpayer and the psyche of a nation which lived under the threat of mutual assured destruction.

I firmly believe our staunch opposition to an aggressive Soviet state was absolutely necessary and led directly to the achievement of freedom for tens of millions of people in Eastern Europe. It also set the stage for dramatic breakthroughs in international cooperation. But that does not mean the Cold War was a benign experience or that we want to revive nuclear competition, carried out in an environment without verification or basic limits on weapons.

I am not suggesting that we are on the brink of returning to the Cold War. Reality is far more complicated than that. But we should not be cavalier about allowing our relationship with Moscow to drift or about letting our knowledge of Russian weaponry atrophy. Few Americans today give much thought to the nuclear arsenal of the former Soviet Union. Americans have not had to be concerned in the same way as they were during the Cold War years. But large elements of that arsenal still exist and still threaten the United States. Whether through accident, miscalculation, proliferation, or any number of other scenarios, Russian nuclear weapons, materiel, and technology still have the capability to obliterate American cities. That is a core national security problem that commands the attention of our government and this body.

I relate these thoughts about where we have been in part because most Senators entered national public service after the Cold War ended, and even fewer were serving in this body when we were called upon to make decisions on arms treaties.

Only 21 current Members were here in 1988 to debate the INF Treaty. Only 15 current Members were serving in the Senate during the Geneva Summit between President Ronald Reagan and Mikhail Gorbachev in 1985. Only 11 Members were here in March 1983 when President Reagan delivered his so-called “evil empire” speech. And only 7 of us were here when the Soviets invaded Afghanistan in 1979. In a few weeks, these numbers will decline even further.

The fundamental question remains as to how we manage our relationship with a former enemy and current rival that still possesses enormous capacity for nuclear destruction. What the START process has done, since it was initiated by President Reagan, is manage an adversarial relationship that previously had been cloaked in volatile uncertainty and accompanied by enormous financial costs to our own society.

One can take the view, I suppose, that unrestrained competition with Russia is the best way to ensure our security in relation to that country. But that has not been the view of the American people and there is no indication that this is what Americans were voting for in November.

It certainly was not Ronald Reagan’s view. It was President Reagan who began the START process. His team coined the term “START,” standing for “Strategic Arms Reduction Talks,” to reflect President Reagan’s intent to shift the goal of nuclear arms control from limiting weapons build-ups to making substantial, verifiable cuts in existing arsenals. On May 8, 1982, President Reagan made the first START proposal during a speech at Eureka College in Illinois, calling for a one-third reduction in nuclear warheads. For the rest of his Presidency, he engaged the Russians on numerous arms control proposals that reduced weaponry an established tough verification measures to prevent cheating. He personally conducted five summits with Russian leaders, which primarily focused on arms control. He produced the INF treaty, signed in 1988, which greatly reduced nuclear weapons in Europe. His efforts also led to the original START Treaty which was signed during the first President Bush’s term in 1991.

The cornerstone of President Reagan’s arms control agenda was verification. His interest in verification is frequently summed up by his oft-quoted line “trust but verify.” But what the United States and Russia have done through the START process is far more than just verification. START has provided the structure and transparency upon which unprecedented arms control and non-proliferation initiatives have been built, most notably, the Nunn-Lugar program. The stability that came with a long-term agreement and the commitment implicit in a treaty approved by both the Russians and an American legislature, has been indispensable to the success of Nunn-Lugar and other non-proliferation endeavors with Russia.

Over the course of almost two decades, the Nunn-Lugar program has joined Americans and Russians in a sustained effort to safeguard and ultimately destroy weapons and materials of mass destruction in the former Soviet Union and beyond. The destruction of thousands of weapons is a monumental achievement for our countries, but the process surrounding this joint effort is as important as the numbers of weapons eliminated. The U.S.-Russian relationship has been through numerous highs and lows in the post-Cold War era. Throughout this period, START inspections and consultations and the corresponding threat reduction activities of the Nunn-Lugar program have been a constant that has reduced miscalculation and has built respect. This has not prevented highly contentious disagreements with Moscow, but it has meant that we have not

had to wonder about the make-up and disposition of Russian nuclear forces during periods of tension. It also has reduced, though not eliminated, the proliferation threat posed by the nuclear arsenal of the former Soviet Union.

This process must continue if we are to answer the existential threat posed by the proliferation of weapons of mass destruction. Every missile destroyed, every warhead deactivated, and every inspection implemented makes us safer. Russia and the United States have the choice whether or not to continue this effort, and that choice is embodied in the New START Treaty before us.

The Senate Foreign Relations and Armed Services Committees held 18 hearings on the treaty with national security leaders who have served in the Nixon, Ford, Carter, Reagan, George H.W. Bush, Clinton, George W. Bush, and Obama administrations. These hearings were supplemented by dozens of staff and Member briefings, as well as nearly 1,000 questions for the record.

We know, however, that bilateral treaties are not neat instruments, because they involve merging the will of two nations with distinct and often conflicting interests. Treaties come with inherent imperfections and questions. As Secretary Gates testified in May, even successful agreements routinely are accompanied by differences of opinion by the parties.

The ratification process, therefore, is intended to produce a Resolution of Ratification for consideration by the whole Senate. The resolution should clarify the meaning and effect of treaty provisions for the United States and resolve areas of concern or ambiguity.

On September 16, 2010, the Foreign Relations Committee approved a Resolution of Ratification for the New START treaty by a vote of 14-4 with important contributions from both Democratic and Republican members. This resolution incorporates the concerns and criticisms expressed over the last several months by committee witnesses, members of the committee, and other Senators. It will be further strengthened through our debate in the coming days.

With this in mind, I would turn to specific concerns addressed in the Resolution of Ratification.

First of all, missile defense.

Some critics of the New START treaty have argued that it impedes U.S. missile defense plans. But nothing in the treaty changes the bottom line that we control our own missile destiny, not Russia. Defense Secretary Gates, Admiral Mullen, and GEN Patrick O'Reilly, who is in charge of our missile defense programs, have all testified that the treaty does nothing to impede our missile defense plans. The Resolution of Ratification has explicitly reemphasized this in multiple ways.

Some commentators have expressed concern that the treaty's preamble

notes the interrelationship between strategic offense and strategic defense. But preamble language does not permit rights nor impose obligations, and it cannot be used to create an obligation under the treaty. The text in question is stating a truism of strategic planning that an interrelationship exists between strategic offense and strategic defense.

Critics have also worried that the treaty's prohibition on converting ICBM and SLBM launchers to defensive missile silos reduces our missile defense options. But General O'Reilly has stated flatly that it would not be in our own interest to pursue such conversions because converting a silo costs an estimated \$19 million more than building a modern, tailor-made missile defense interceptor silo. The Bush administration converted five ICBM test silos at Vandenberg Air Force Base for missile defense interceptors, and these have been grandfathered under the New START treaty. Beyond this, every single program advocated during the Bush and Obama administrations has involved construction of new silos dedicated to defense on land—exactly what the New START treaty permits. General O'Reilly said a U.S. embrace of silo conversions would be “a major setback” for our missile defense program.

Addressing whether there would be utility in converting any existing SLBM launch-tubes to a launcher of defensive missiles, GEN Kevin P. Chilton, Commander of U.S. Strategic Command, stated “[T]he missile tubes that we have are valuable, in the sense that they provide the strategic deterrent. I would not want to trade [an SLBM] and how powerful it is and its ability to deter, for a single missile defense interceptor.” Essentially, our military commanders are saying that converting silos to missile defense purposes would never make sense for our efforts to build the best missile defense possible.

A third argument concerning missile defense centers on Russia's unilateral statement upon signature of New START, which expressed its right to withdraw from the treaty if there is an expansion of U.S. missile defense programs. Unilateral statements are routine to arms control treaties and do not alter the legal rights and obligations of the parties to the treaty. Indeed, Moscow issued a similar statement concerning the START I treaty, implying that its obligations were conditioned upon U.S. compliance with the ABM Treaty. Yet, Russia did not in fact withdraw from START I when the United States withdrew from the ABM Treaty in 2001. Nor did it withdraw when we subsequently deployed missile defense interceptors in California and Alaska. Nor did it withdraw when we announced plans for missile defenses in Poland and the Czech Republic.

Russia's unilateral statement does nothing to contribute to its right to withdraw from the treaty. That right, which we also possess, is standard in

all recent arms control treaties and most treaties considered throughout U.S. history.

The Resolution of Ratification approved by the Foreign Relations Committee reaffirms that the New START treaty will in no way inhibit our missile defenses. It contains an understanding that the New START treaty imposes no limitations on the deployment of U.S. missile defenses other than the requirement to refrain from converting offensive missile launchers. It also states that Russia's April 2010 unilateral statement on missile defense does not impose any legal obligations on the United States and that any further limitations would require treaty amendment subject to the Senate's advice and consent. Consistent with the Missile Defense Act of 1999, it also declares that it is U.S. policy to deploy an effective national missile defense system as soon as technologically possible and that it is the paramount obligation of the United States to defend its people, armed forces, and allies against nuclear attack to the best of its ability.

In a revealing moment during Senate Foreign Relations Committee hearings on the Treaty, Secretary Gates testified:

The Russians have hated missile defense ever since the strategic arms talks began, in 1969 . . . because we can afford it and they can't. And we're going to be able to build a good one . . . and they probably aren't. And they don't want to devote the resources to it, so they try and stop us from doing it. . . This treaty doesn't accomplish that for them. There are no limits on us.

I would paraphrase the Secretary's blunt comments by saying simply, that our negotiators won on missile defense. If, indeed, a Russian objective in this treaty was to limit U.S. missile defense, they failed, as the Defense Secretary asserts. Does anyone really believe that Russian negotiating ambitions were fulfilled by nonbinding language in the Preamble? Or by a unilateral Russian statement with no legal force? Or by a prohibition on converting silos, which costs more than building new ones? These are toothless, figleaf provisions that do nothing to constrain us.

Moreover, as outlined, our resolution of ratification states explicitly in multiple ways that we have no intention of being constrained. Our government is investing heavily in missile defense. Strong bipartisan majorities in Congress favor pursuing current missile defense plans.

What the Russians are left with on missile defense is unrealized ambitions. At the end of any treaty negotiation between any two countries, there are always unrealized ambitions left on the table by both sides.

This has been true throughout diplomatic history.

The Russians might want all sorts of things from us, but that does not mean they are going to get them. If we constrain ourselves from signing a treaty that is in our own interest on the basis

of unrealized Russian ambitions, we are showing no confidence in the ability of our own democracy to make critical decisions. We would be saying that we have to live with the end of START inspections and other negative consequences of rejecting this treaty to prevent a U.S. Government in the future from bowing to Russian pressure on missile defense. If one buys into this logic, it becomes almost impossible to seek cooperation with Russia on anything.

Let us be absolutely clear, the President of the United States, the U.S. Congress, and the executive branch agencies on behalf of the American people control our own destiny on missile defense. The Russians can continue to argue all they want on the issue, but there is nothing in the treaty that says we have to pay any attention to them.

The New START treaty's verification regime has also been the subject of considerable debate. The important point is that, today, we have zero on-the-ground verification capability given that START I expired on December 5, 2009, more than 1 year ago. Under START, the United States conducted inspections of weapons, their facilities, their delivery vehicles and warheads, in Russia, Kazakhstan, Ukraine, and Belarus. These inspections fulfilled a crucial national security interest by greatly reducing the possibility that we would be surprised by future advancements in Russian weapons technology or deployment. Only through ratification of New START will U.S. technicians return to Russia to resume verification.

Under New START, the United States and Russia each will deploy no more than 1,550 warheads for strategic deterrence. Seven years from its entry into force, the Russian Federation is likely to have only about 350 deployed missiles. This smaller number of strategic nuclear systems will be deployed at fewer bases. It is likely that Russia will close down even more bases over the life of the treaty.

Both sides agreed at the outset that each would be free to structure its forces as it sees fit, a view consistent with that of the Bush administration. As a practical economic matter, conditions in Russia preclude a massive restructuring of its strategic forces.

The treaty, protocol and annexes contain a detailed set of rules and procedures for verification of the New START treaty, many of them drawn from START I. The inspection regime contained in New START is designed to provide each party confidence that the other is upholding its obligations, while also being simpler and safer for the inspectors to implement, less operationally disruptive for our strategic forces, and less costly than START's regime.

Secretary Gates recently wrote to Congress that "The Chairman of the Joint Chiefs of Staff, the Joint Chiefs, the Commander, U.S. Strategic Command, and I assess that Russia will not

be able to achieve militarily significant cheating or breakout under New START, due to both the New START verification regime and the inherent survivability and flexibility of the planned U.S. strategic force structure." We should not expect that New START will eliminate friction, but the treaty will provide for a means to deal with such differences constructively, as under START I.

The Resolution of Ratification approved by the Foreign Relations Committee requires further assurances by conditioning ratification on Presidential certification, prior to the treaty's entry into force, of our ability to monitor Russian compliance and on immediate consultations should a Russian breakout from the treaty be detected. For the first time in any strategic arms control treaty, a condition requires a plan for New START monitoring.

Some have asserted that there are too few inspections in New START. The treaty does provide for fewer inspections compared to START I. But this is because fewer facilities will require inspection under New START. START I covered 70 facilities in four Soviet successor states, whereas New START only applies to Russia and its 35 remaining facilities. Therefore we need fewer inspections to achieve a comparable level of oversight. New START also maintains the same number of "re-entry vehicle on-site inspections" as START I, 10 per year. Baseline inspections that were phased out in New START are no longer needed because we have 15 years of START I Treaty implementation and data on which to rely. Of course, if New START is not ratified for a lengthy period, the efficacy of our baseline data would eventually deteriorate.

New START includes the innovation that unique identifiers or "UIDs" be affixed to all Russian missiles and nuclear-capable heavy bombers. UIDs were applied only to Russian road-mobile missiles in START I. Regular exchanges of UID data will provide confidence and transparency regarding the existence and location of 700 deployed missiles, even when they are on non-deployed status, something that START I did not do.

The New START treaty also codifies and continues important verification enhancements related to warhead loading on Russian ICBMs and SLBMs. These enhancements, originally agreed to during START I implementation, allow for greater transparency in confirming the number of warheads on each missile.

Under START I and the INF Treaty, the United States maintained a continuous, on-site presence of up to 30 technicians at Votkinsk, Russia to conduct monitoring of final assembly of Russian strategic systems using solid rocket motors. While this portal monitoring is not continued under New START, the decision to phase out this arrangement was made by the Bush ad-

ministration in anticipation of START I's expiration. With vastly lower rates of Russian missile production, continuous monitoring is not crucial, as it was during the Cold War.

For the United States, the New START treaty will allow for flexible modernization and operation of U.S. strategic forces, while facilitating transparency regarding the development and deployment of Russian strategic forces.

With regard to warhead counting, New START improves on the rules used in both START I and the Moscow Treaty. Under START I, each deployed missile or bomber was attributed a maximum number of weapons, for which it always counted. Each launcher of a missile or weapon also counted regardless of whether it still performed nuclear missions or contained missiles. This resulted in inaccurate counts of warheads, missiles, and launchers. Under the Moscow Treaty, there was never agreement on what constituted an operationally deployed strategic nuclear warhead. Consequently, the parties used their own methodology for counting which warheads fell under the Treaty's limits. Under New START, one common set of counting rules will be used by both parties regarding deployed and non-deployed ICBMs, SLBMs and bombers, and deployed warheads on missiles and bomber weapons, so that the data exchanged under this treaty will more accurately reflect modern deployment of the parties' strategic forces.

New START's bomber counting rules are also different from START I. Under New START, each heavy bomber is attributed one nuclear weapon, despite the aircraft's ability to carry more, which reflects the modern fact that neither party maintains bombers loaded with nuclear weapons on a continual basis.

This rule is not an invention of New START. It is consistent with President Reagan's negotiating position. He proposed that bombers not be counted at all because they are not first-strike weapons and, thus, not destabilizing. It was a concession to Moscow to include heavy bombers as strategic offensive arms in START I, but President Reagan never agreed to count their maximum capacity, as the Soviets sought. Those who have inexplicably criticized New START's bomber counting rules are advocating the historic position of the Soviet Union, not our own.

The Department of Defense plans to maintain up to 60 nuclear-capable bombers under the New START treaty, including a large number of B-52s, each capable of carrying up to 20 ALCMs. Maintaining this standoff delivery capability will enable the United States to field a substantial number of penetrating weapons in the bomber leg of our triad. Flexible counting of one weapon per each B-52 gives us immediate and powerful deployment flexibility, something President Reagan protected, as does New START.

Some opponents of New START also contend that the treaty should not be ratified because tactical nuclear weapons are not covered. But rejection of this treaty would make future limitations on Russian tactical nuclear arms far less likely.

Some critics have overvalued the utility of Russia's tactical nuclear weapons and undervalued our deterrent to them. Only a fraction of these weapons could be delivered significantly beyond Russia's borders. Pursuant to the INF Treaty, the United States and Soviet Union long ago destroyed intermediate range and shorter range nuclear-armed ballistic missiles and ground-launched cruise missiles, which have a range between 500 and 5,500 kilometers. In fact, most of Russia's tactical nuclear weapons have very short ranges, are used for homeland air defense, are devoted to the Chinese border, or are in storage. A Russian nuclear attack on NATO countries is effectively deterred by NATO conventional superiority, our own tactical nuclear forces, French and British nuclear arsenals, and U.S. strategic forces. In short, Russian tactical nuclear weapons do not threaten our strategic deterrent. Our NATO allies that flank Russia in Eastern and Northern Europe understand this and have strongly endorsed the New START treaty.

It is important to recognize that the size differential between Russian and American tactical nuclear arsenals did not come to pass because of American inattention to this point. During the first Bush administration, our national command authority, with full participation by the military, deliberately made a decision to reduce the number of tactical nuclear weapons we deployed. They did this irrespective of Russian actions, because the threat of massive ground invasion in Europe had largely evaporated due to the breakup of the former Soviet Union. In addition, our conventional capabilities had improved to the extent that battlefield nuclear weapons were no longer needed to defend Western Europe. In this atmosphere, maintaining large arsenals of nuclear artillery shells, landmines, and short range missile warheads was a bad bargain for us in terms of cost, safety, alliance cohesion, and proliferation risks.

In my judgment Russia should make a similar decision. The risks to Russia of maintaining their tactical nuclear arsenal in its current form are greater than the potential security benefits that those weapons might provide. They have not done this, in part because of their threat perceptions about their borders, particularly their border with China.

An agreement with Russia that reduced, accounted for, and improved security around tactical nuclear arsenals is in the interest of both nations. Rejection of New START makes it unlikely that a subsequent agreement concerning tactical nuclear weapons

will ever be reached. The Resolution of Ratification encourages the President to engage the Russian Federation on establishing measures to improve mutual confidence regarding the accounting and security of Russian nonstrategic nuclear weapons.

Finally, I would like to turn to the nuclear modernization issue.

The New START treaty will not directly affect the modernization or the missions of our nuclear weapons laboratories. The treaty explicitly states that "modernization and replacement of strategic offensive arms may be carried out." Yet Senate consideration of New START has intensified a debate on modernization and the stockpile stewardship programs.

Near the end of the Bush administration, a consensus developed that our nuclear weapons complex was at risk due to years of underfunding. In 2010, the Senate approved an amendment to the Defense authorization bill requiring a report to Congress, known as the 1251 report, for a plan to modernize our nuclear weapons stockpile. The 1251 report submitted by the administration committed to an investment of approximately \$80 billion over a 10-year period to sustain and modernize the United States nuclear weapons complex, which according to Secretary Gates, was a "credible" program for stockpile modernization. Pursuant to this report, the administration submitted a fiscal year 2011 request for \$7 billion, a nearly 10 percent increase over fiscal year 2010 levels. The 1251 plan was recently augmented by an additional \$5 billion in funding. The directors of our National Laboratories wrote on December 1 that they were "very pleased" with the updated plan, which provides "adequate support to sustain the safety, security, reliability, and effectiveness of America's nuclear deterrent" under New START's central limits.

The resolution of ratification passed by the Foreign Relations Committee declares a commitment to ensure the safety, reliability, and performance of our nuclear forces through a robust stockpile stewardship program. The resolution includes a requirement for the President to submit to Congress a plan for overcoming any future resource shortfall associated with his 10-year 1251 modernization plan. The resolution also declares a commitment to modernizing and replacing nuclear weapons delivery vehicles.

In closing, it is imperative that we vote to provide our advice and consent to the New START treaty.

Most of the basic strategic concerns that motivated Republican and Democratic administrations to pursue nuclear arms control with Moscow during the last several decades still exist today. We are seeking mutual reductions in nuclear warheads and delivery vehicles that contribute to stability and reduce the costs of maintaining the weapons. We are pursuing transparency of our nuclear arsenals, backed

up by strong verification measures and formal consultation methods. We are attempting to maximize the safety of our nuclear arsenals and encourage global cooperation toward nonproliferation goals. And we are hoping to solidify U.S.-Russian cooperation on nuclear security matters, while sustaining our knowledge of Russian nuclear capabilities and intentions.

Rejecting New START would permanently inhibit our understanding of Russian nuclear forces, weaken our nonproliferation diplomacy worldwide, and potentially reignite expensive arms competition that would further strain our national budget.

Bipartisan support for arms control treaties has been reflected in overwhelming votes in favor of the INF Treaty, START I, START II, and the Moscow Treaty. I believe the merits of New START should command similar bipartisan support.

I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MANCHIN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KERRY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. Mr. President, I ask unanimous consent that I be permitted to proceed in morning business for such time as I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. I ask unanimous consent that the Senator from California, Mrs. FEINSTEIN, be recognized at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. Mr. President, I ask to rescind that request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. And that at such time that the other side has had an opportunity to speak, Senator FEINSTEIN be recognized for 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. I thank the Presiding Officer.

#### NEW START TREATY

Mr. KERRY. Mr. President, this afternoon, the Senate takes up an issue that is critical to our Nation's security, and we have an opportunity, in doing so, to reduce the danger from nuclear weapons in very real and very measurable terms. We have an opportunity to fulfill our constitutional obligation that requires the Senate to provide a two-thirds vote of the Members present who must vote in favor of a treaty.

The Constitution, by doing that, insists on bipartisanship. It insists on a breadth of support that is critical to our foreign policy and to the security